NAVSEA
NAVAL SEA SYSTEMS COMMAND

SeaPort Enhanced

Concept of Operations

Use of SeaPort-e

SeaPort-e is a tool by which all activities can obtain cost effective services competitively and efficiently. SeaPort-e should be used to the maximum extent practicable. SeaPort-e should not be used for 8(a) set asides, Small Business Innovation Research (SBIR) requirements, and other types of direct small business set-asides, such as HUBZONEs and Service Disabled Veteran Owned Small Business. SeaPort and SeaPort-e cannot both be solicited for the same requirement at the same time.

Ombudsman

Each Zone shall appoint an Ombudsman. The Ombudsman will review complaints from the contractors and ensure that all contractors are afforded a fair opportunity to be considered, consistent with the procedures in the contract. Each contracting activity shall appoint an Ombudsman. This SeaPort-e Ombudsman may not report to the Chief of the Contracting office for any activity. The NAVSEA SeaPort Ombudsman shall serve as an overarching Ombudsman for SeaPort-e, in the event that a contractor has complaints across more than one activity.

Administration

Only the SeaPort-e Contracting Officer may make modifications to the SeaPort-e contract or represent the Navy on its behalf in regards to these contracts. The Deputy Commander/Executive Director for Contracts (SEA 02/02B) shall appoint the SeaPort-e Contracting Officer. The SeaPort-e Contracting Officer shall monitor the MAC ceilings to ensure that task orders are not placed in excess of the ceiling. Only the SeaPort-e Contracting Officer may make a sole source task order award using the minimum guarantee exception. Task Order Contracting officers are responsible for soliciting, awarding, administering, close-out, and termination of all Task Orders.

Small Business Targets

In concert with each activity's Deputy for Small Business, the NAVSEA Director for Small and Disadvantaged Business Utilization (SADBU) shall monitor overall SeaPort-e contract actions against the small business targets (both for prime obligations and subcontracting). Each activity's Deputy for Small Business shall work closely with the NAVSEA SADBU and the cognizant Zone Coordinator to ensure that small business participation is maximized.

Warrant Levels

Those warrant levels established by the Deputy Commander/Executive Director for Contracts (SEA 02/02B) shall also apply to task orders awarded to SeaPort-e MACs.

Zone Coordinator

The activities in each zone shall coordinate the appointment of a Zone Coordinator (ZC) to serve as a local SeaPort-e Point of Contact. The ZC shall be the zone's representative on the SeaPort-e Council. The ZC shall act as a liaison with the Zone's vendor community, monitor small business participation, and provide the primary input to the SeaPort-e Council in regards to the opening of rolling admissions for that particular zone. The ZC shall also establish a Zone Business Council to provide a forum for industry involvement and feedback. This council will not serve as forum for specific task order disputes (which should be made to the Contracting Officer or Ombudsman), but instead general program direction. In those instances where two or more activities exist in a zone, those activities shall decide on a Zone Coordinator by consensus. In the event that such consensus cannot be reached, the Deputy Commander/Executive Director for Contracts (SEA 02/02B) shall make such appointment.

SeaPort-e Council

The SeaPort-e Council (SC) shall be the board responsible for programmatic decisions. Membership shall be made up of each Zone Coordinator, the SeaPort-e Contracting officer, a representative of SEA 02, the NAVSEA Director for Small and Disadvantaged Business Utilization (Advisory), and any other member decided by the SC. The SC shall also serve as the Award Term Board. The SC shall also be the board that decides the establishment rolling admissions. The SC shall convene not less than every six months, but need not meet in person.

Rolling Admissions

Annually, the SeaPort-e Council shall convene to review the performance of the SeaPort-e program in accordance with the Rolling Admissions clause. Inputs will be received from zone coordinators.

The Rolling Admissions criteria are:

- **quality of performance by each IDIQ holder**
- **the number, value and complexity of work assigned to each holder**
- **amount of competition achieved**
- **internal transaction cost for issuing each task order**
- **the amount of small business participation**
- **revise scope of the Statement of Work and the ceiling amount**

Task Order Managers

Under a traditional contract, the Contracting Officer may appoint a Contracting Officer's Representative (COR). Under SeaPort-e, the Contracting Officer for each task order may appoint a Task Order Manager (ToM). The ToM shall be considered a COR and must be identified in the Portal and in the Task Order for which they are being appointed. ToMs must be appointed using the same procedures for appointing CORs, (including training, certification, appointment letters, etc). Each Contracting Office must keep a master list of certified and appointed ToMs.

Guaranteed Savings

H.10 Guaranteed Savings Clause requires to the maximum extent practicable for the acquisition of repetitive, high dollar value professional support services that the contractor reduce the price for services performed under each sequential year by the amount provided in their cost proposal. Task Order Solicitations in which the PCO determines that Guaranteed Savings provisions apply, shall notify the contractor in the Task Order Solicitation.

Notification of Problems

The Zone Coordinator shall be the primary collection point for the identification of desired modifications or problems with the Portal or MAC contracts.

Portal Accounts

Each activity shall communicate with the SeaPort program office in SEA 02 to identify a local administrator who will be given the privilege to create and manage user accounts. The Local Administrator will not be required to perform any other function of system administration other than management of user accounts. Guidance will be provided by the NAVSEA SeaPort program office to aid in the technical management of user accounts.

SeaPort Portal

The SeaPort Portal shall be used to place all SeaPort-e Task Orders. In the event that the Portal is technically unavailable, the Zone Coordinator or the SeaPort Helpdesk email should be promptly notified.

Task Order Requirements

The award of Task Orders should only be made for known requirements. Task Orders may not be awarded for requirements that are not defined or used as larger umbrella vehicles for work to be defined later. Therefore, task orders may not be issued as BPAs, BOAs, or ID/IQs. Technical Instructions may only be issued to provide further guidance on a defined scope of work and may not be used to direct work.

Subcontractor Teaming

The SeaPort PCO is the only authorized individual able to add team members to the SeaPort-e MACs, in accordance with the Contract terms. Contractors who hold MAC contraccts must communicate directly with the PCO for any changes in team competition.

Exceptions to Fair Consideration

Within a zone, the contracting officer shall give every SeaPort-e MAC holder a fair opportunity to be considered for a task-order exceeding $2,500 unless a statutory exception applies (see below). All task orders shall be competed unless extraordinary circumstances exist. The SeaPort Portal requires Contracting Officers to provide rationale for such acquisitions. This rationale must be as thorough as possible and identify methods by which any alternative sources were sought. If an Activity uses the logical follow-on exception, the rationale shall describe why the relationship between the initial order and the follow-on is logical (*e.g.*, in terms of scope, period of performance, or value).

Exceptions to the fair opportunity process are detailed below:

(i) The agency need for the supplies or services is so urgent that providing a fair opportunity would result in unacceptable delays,

(ii) Only one awardee is capable of providing the supplies or services required at the level of quality required because the supplies or services ordered are unique or highly specialized,

(iii) The order must be issued on a sole-source basis in the interest of economy and efficiency because it is a logical follow-on to an order already issued under the contract, provided that all awardees were given a fair opportunity to be considered for the original order.

All rationales must be coordinated with the Zone's Ombudsman and approved in accordance with NAVSEA Justification and Approval thresholds. For those rationales, where the approval threshold is NAVSEA HQ, the rationale shall be prepared using the format of a formal Justification and Approval in accordance with the NAVSEA Contract Handbook. SEA02/02B is the highest approval necessary.

Sole Source Task Orders

All Potential Task Orders developed for submittal to the SeaPort-e Portal must offer a Fair Consideration/Opportunity to all interested Offerors. Sole Source Orders are not within the scope of SeaPort-e

Source Selection Plans

Source Selection Plans are not required. However, task orders must contain traditional Section L and M content. Therefore, it is imperative that Contracting Officers plan acquisitions.

Undefinitized Orders

Undefinitized orders and Time and Material Task Orders are not permitted.

Zone Solicitation

Task orders shall be solicited in the zone corresponding to the principal place of performance for the services acquired. Solicitations should not be limited to the zone corresponding to location of the warfare center, but instead the place of performance.

Performance Based SOWs

Contracting Officers are encouraged to use the Performance Based contract conversion provisions of the MACs. Since the MAC contract is considered to be Performance Based, all Task Orders are therefore considered Performance Based as well.

SB Review and Set Aside

The activity's Deputy for Small Business must review each task order. The review must take place prior to solicitation. This review shall support the Contracting Officer in determining whether a Small Busines set aside or potential Small Business set aside, should be made. A 100% Small Business set aside shall be made when the Contracting Officer determines that the small business base is sufficient to offeror at least two qualifying proposals. This review and Contracting Officer determination shall be documented in the SeaPort Portal Small Business area. Task Orders may be set aside as a "Cascading" set aside when the Contracting Officer cannot determine whether the small business base in the zone is sufficient to satisfy the requirement, but believes that the potential may exist. Determination of Small Business set asides must be made prior to solicitation. The SeaPort Portal contains an electronic DD2579 – Small Business Coordination Record and therefore a paper copy is not required.

Performance Based Documentation

One of the goals of the SeaPort-e contract is to convert when practical, Task Orders to Performance Based. File documentation supporting the conclusion that the Task Order is Performance Based shall be provided.

BCM/PNM

The Contracting Officer shall document in the Portal. The rationale for placement and price of each order, including the basis for award and the rationale for any tradeoffs among cost or price and non-cost considerations. This documentation must identify the tradeoffs that led to the decision. The contract file shall also identify the basis for using an exception to the fair opportunity process. Activities shall follow current clearance approval thresholds in accordance with the NAVSEA Contract Handbook. Clearances for acquisitions required to be sent to SEA 02 for approval shall be in the format detailed in NAVSEA Contracts Handbook and followed the procedures prescribed therein. Efforts should be made to ensure that all Pre-Award compliances are accurate. Approved clearances shall be stored electronically in the SeaPort Portal procurement package.

Identification of Set Aside

All potential Task Orders that are set aside for Small Business or contemplate the use of cascading shall clearly identify in the Task Order Solicitation process the fact that the Task Order will be set aside for Small Business participation or the possibility of cascading exists.

SPS Interface

Phases II and/or III of the SeaPort Portal Enhancements will include the development of an interface with the Standard Procurement System (SPS) Procurement Defense Desktop (PD2).

Past Performance Information Retrieval System

PPIRS will be submitted at the MAC level by the SeaPort-e PCO. Each individual Task Order will have its own Task Order Performance Evaluation (TOPE) completed throughout the period of performance. Individual Task Order PCOs must ensure the timely submission of the TOPE.

Acquisition Plans

The SeaPort-e Acquisition Plan (AP) DL-04-01 approved 10-16-03 by NAVSEA 02B, identifies in general terms the services to be acquired. For specific Task Orders that meet the AP thresholds and a “Systems” AP does not exist, the file documentation at the Task Order level should address the applicable areas found in Section 8, Plan of Action for each proposed contract of the Department of the Navy Acquisition Planning Guide.

This documentation may be part of the overall file documentation and signed by the Task Order Contracting Officer.